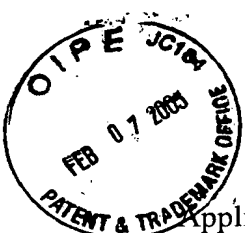


JPW



[10746/40]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Susumu KONDO et al. Confirmation No.: 9686  
Serial No. : 10/775,806  
Filed : February 9, 2004  
For : SEMICONDUCTOR OPTICAL DEVICE AND  
THE FABRICATION METHOD  
Art Unit : 2829  
Examiner : Asok K. Sarkar  
Customer No. : 26646

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the  
United States Postal Service with sufficient postage as first class mail  
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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
on \_\_\_\_\_  
Date: 2/4/2005  
Signature: [Signature]  
AARON C. DEDITCH  
(33,865)

**TRANSMITTAL AND PETITION TO EXTEND**

SIR:

Transmitted herewith for filing in the above-identified patent application is a  
Response to a Restriction requirement in the Office Action of December 7, 2004.

This is also a Petition Under 37 C.F.R. § 1.136(a) to extend the one-month  
response date by one month from January 7, 2005 to February 7, 2005.

The Commissioner is authorized to charge the appropriate fees of \$120.00  
(which is believed to be the fee for the one-month extension) to Deposit Account No. 11-  
0600. The Commissioner is also authorized, as appropriate and/or necessary, to charge any  
additional fees (including any other Rule 136(a) extension fees) or credit any overpayment to  
Deposit Account No. 11-0600. Two duplicate copies of this transmittal letter are enclosed for  
these purposes.

Respectfully submitted,  
KENYON & KENYON

Dated: 2/4/2005

By: [Signature]

Aaron C. Deditch  
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02/10/2005 RFEKADU1 00000003 110600 10775806

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